REMARKS/ARGUMENTS

This Request for Reconsideration is responsive to the Final Office Action issued November 4, 2003. At the outset, the applicants' representative wishes to thank Examiners Dinh and Winder for their time and courtesy during the telephone interview of Tuesday, February 17, 2004.

As agreed during the interview, the independent claims are amended herewith to specify that the claimed event of interest is an **event that occurs within the database**.

In the "Response to Arguments" section of the Final Office Action, the Examiner points out that the recitation of "asynchronously notifying an application client of an event of interest within a database" occurs in the preamble of the independent claims, and is thus not accorded any patentable weight.

It is respectfully submitted that this is not the case. Indeed, the body of claim 1 recites:

> "...
>
> **asynchronously delivering the formatted notification to the application client over a network.**

The "notification", as recited in the body of claim 1, concerns "an invent of interest that occurs within the database", as also recited in the body of claim 1. The body of claim 1 also recites steps of receiving subscriptions, receiving registrations, detecting an occurrence of the event within the database, publishing the occurrence of the event within the database, retrieving the delivery information and formatting the published notification according to the retrieved delivery information, all to enable the asynchronous delivery of the formatted notification to the application client over a network - as recited in the body of the claim.

It is respectfully submitted that the asynchronous delivery of a notification to an application client over a network is recited in the body of the claim and that the body of the claim recites the manner in which notifications regarding events of interest within a database may be asynchronously delivered to application clients over a network, as previously argued. The Examiner's Response to Arguments in paragraph 6a of the outstanding Office Action is, therefore, believed to be untenable.

In paragraph 6b of the "Response to Arguments" section of the Final Office Action, the Examiner disagrees that the "cited reference does not disclose notifications concerning an event of interest within a database and detecting an occurrence of the event within the database", as previously argued. In support thereof, the Office states that:

> ***"Natajaran discloses reporting network errors by network elements (including services, interfaces, applications and protocols, etc) and network conditions to the database (Data store 252 fig. 2) and to an event handler (274A) for handling notifications/registrations (see Col. 7, line 21 to Col10 lines 9-61) as rejected above."***

The Examiner's attention is respectfully drawn to the following:

1) **Natajaran discloses reporting "network errors" by "network elements".** In the claimed invention, however, the events of which the application clients are notified are events of interest that occur within a database. That is, events occur within the database, and those events are published, formatted, retrieved and asynchronously delivered to application clients having registered to receive such events. Natajaran does not disclose reporting database events.

2) **Natajaran discloses reporting network errors and conditions to the database.** The claimed invention does not report errors or events to a

database. Instead, the claims recite that the event of interest occurs within the database (i.e., database events) are reported to the application client(s) that have registered to receive such notification of database events.

Therefore, the Office's reasons advanced in the "Response to Arguments" section of the outstanding Office Action are not drawn to the claimed invention. For the above-detailed reasons, as well as those advanced in the Amendment of August 19, 2003, the claims are believed to be allowable over the applied art. Indeed, as the applied reference to Natarajan does not teach or suggest the above-detailed claimed inventions, it is believed that reconsideration and withdrawal of the 35 USC §102(e) rejections of the claims is warranted. The same is, therefore, respectfully requested. Indeed, during the recent telephone interview, the Examiner agreed that the amendments to the claims presented herewith would, in fact, distinguish the claimed inventions from the applied art and overcome the outstanding rejections.

It is respectfully submitted that the present amendment is properly enterable after final rejection, for the following reasons. At the outset, the present amendment places this case in condition for allowance, as the applied art is not believed to teach or to suggest the recited steps of claim 1 or the structure of the other independent claims, as developed above. Moreover, the nature of the amendments to the independent claims of the present application is such that no further search is required. Indeed, the originally filed and fully searched claims included recitations drawn to events of interest within the database, and the present amendment only defines these events in more precise and unambiguous terms (i.e., the events of interest occur within the database). Thus, all of the steps and structure recited in the independent claims have been fully searched by the Examiner. Of course, the Examiner may wish to perform an updated

search prior to allowing this application. However, such a search is not necessitated by the nature of the amendments to the independent claims presented herewith. By incorporating recitations in the claims that clearly distinguish the claimed embodiments from the applied art (as agreed during the telephone interview), the applicants believe that the applied rejection has been overcome in a manner that enables the application to be allowed without further search and/or consideration. Indeed, any further consideration that might be required is believed to be *de minimis*, as the present amendment is believed to place this application in condition for allowance without consideration of any new issues and/or subject matter. Therefore, the amendments to the independent claims are believed to be such as to merit allowance of this application without requiring the assignee to expend additional fees to refile and re-prosecute this application.

The present application, therefore, is now believed to be in condition for allowance. In the event that there are any questions relating to this amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions and whatever is needed will be done immediately.

Respectfully submitted,

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